

11.08.2022
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allowed

CRM(DB) No. 2692 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Andal Police Station Case No. 17 of 2022 dated 19.01.2022 under Section 302 of the Indian Penal Code.

And

In Re : Puja Kumari @ Bhaskar petitioner

Mr. Suman Chakraborty
.....for the petitioner

Mr. Nguive Ahmed, learned APP
Ms. Ayantika Ray
..... for the State

Learned Counsel appearing for the petitioner submits she is in custody for 106 days. It is also submitted that investigation is complete. She has a suckling child.

Learned Counsel appearing for the State opposes the prayer for bail and submits petitioner had illicit relation with co-accused and there were telephonic conversations between the petitioner and co-accused before and after the murder.

We have considered the materials on record. Case is based on circumstantial evidence. It is contended that petitioner was at her parental home in Bihar at the time of occurrence. Whether the circumstances relied by the prosecution would form a complete chain in the present case to implicate the petitioner or not, may be assessed during trial.

Keeping in mind the aforesaid facts and the fact that the petitioner is a lady with a suckling child, we are inclined to grant bail to her.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-(Rupees Ten Thousand Only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Durgapur, Paschim Bardhaman, subject to the condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)